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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 DALE HARVEY,

9 Petitioner,

10 v.

11 GARANN ROSE MEANS,

12 Respondent.

CASE NO. 2:23-cv-1712

MINUTE ORDER

13  
14 The following Minute Order is made by direction of the Court, the Honorable  
15 Jamal N. Whitehead, United States District Judge:

16 On December 15, 2023, Petitioner Dale Harvey filed a “motion for  
17 zoom/virtual/video testimony” at the hearing on December 19, 2023. Dkt. No. 44.  
18 Harvey argues that it would be extraordinarily burdensome for the witnesses to  
19 travel from their Scotland to appear in person. *Id.* at 1.

20 Under Federal Rule of Civil Procedure 43(a), “witnesses’ testimony must be  
21 taken in open court” but “[f]or good cause . . . the court may permit testimony in  
22 open court by contemporaneous transmission from a different location.” Fed. R. Civ.  
23

1 P. 43(a). Here, the Court finds good cause to allow witnesses in Scotland to testify  
2 remotely given the distance, expense, and expedited nature of the proceedings.

3 Accordingly, the Court GRANTS Harvey's motion for virtual testimony. Dkt.  
4 No. 44. The Court directs the parties to contact Grant Cogswell, Courtroom Deputy,  
5 for information about court room technology.

6 Dated this 18th day of December 2023.

7 Ravi Subramanian

8 Clerk

9 /s/ Kathleen Albert

10 Deputy Clerk  
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